REMARKS/ARGUMENTS

After the foregoing Amendment, claims 1-11, 16 and 17-18 are currently pending in this application. Claims 1-11, 16 and 17 are amended. New claim 18 is added.

Request for Withdrawal of the Finality of the Office Action

The Applicants respectfully request that the Examiner withdraw the finality of the Office Action mailed on July 2, 2008 because a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 is filed concurrently herewith.

Claim Rejections - 35 USC §102

Claims 16-17 are rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 7,072,663 to Ramos et al (hereinafter "Ramos"). Applicants respectfully submit that it does not.

Regarding claim 16, Examiner alleges that Ramos teaches a method for enabling cell selection of preferred service areas (PSAs) where higher level system information is received from the network. However, Ramos merely discloses receiving network identification information for identifying a candidate network area. The information received in Ramos only includes the availability of the network and does not include <u>service level</u> information regarding, for example, the

connecting network's available capabilities, billing schemes supported, security mechanisms provided, and data rates supported. Accordingly, Applicants respectfully submit that claim 16 is allowable over the cited reference.

Claim Rejections – 35 USC §103

Claims 1-2 and 5-11 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ramos further in view of U.S. Patent Publication No. 2003/0134636 to Sundar et al. (hereinafter "Sundar"). Claims 3 and 4 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Ramos and Sundar further in view of U.S. Patent No. 7,055,107 to Rappaport et al. (hereinafter Rappaport).

Regarding claim 1, Examiner alleges that Ramos discloses a method for use in a communication system in which a bidirectional internet protocol (IP) link at the wireless transmit/receive unit (WTRU). Ramos however, merely discloses a WTRU capable of using more than one radio access technology. Ramos does not disclose a method using a bidirectional IP link to allow service operation parameter negotiation prior to network selection. In addition, the transmission disclosed in Ramos is unidirectional (see Ramos col. 6 lines 59-61).

Examiner also alleges that Ramos discloses a mobile station receiving a handover command from the radio network controller (RNC). Applicants

respectfully submit that it does not. Ramos merely discloses receiving network identification information for identifying a candidate network area. The information received in Ramos only includes the availability of the network and does not include service level information regarding, for example, the connecting network's available capabilities, billing schemes supported, security mechanisms provided, and data rates supported.

Examiner also alleges that Ramos discloses transmitting a request for system information from the WTRU to the primary station over the bidirectional IP link. Applicants respectfully submit that it does not. Ramos merely teaches that the CRRM receives "on demand" information. Clearly, if the CRRM is receiving "on demand" information, it is the CRRM that is performing the requesting – not the WTRU. As Ramos states in column 3, line 35, the CRRM is provided by a server, therefore the CRRM cannot be and is not a WTRU. Accordingly, Applicants respectfully submit that claim 1 is allowable over the cited reference.

Sundar merely teaches sending a probe and waiting for a response. The response received in Sundar is merely an acknowlegement and does not include service level information regarding, for example, the connecting network's available capabilities, billing schemes supported, security mechanisms provided, and data rates supported. Sundar, either alone or in combination with Ramos, does not disclose a method using a bidirectional IP link to allow service operation parameter

negotiation prior to network selection. Accordingly, Applicants respectfully submit that claim 1 is allowable over the cited references.

Regarding claims 3 and 4, Rappaport merely teaches including billing information or security information in a device configuration parameter. Rappaport, either alone or in combination with Ramos or Sundar, does not disclose a method using a bidirectional IP link to allow service operation parameter negotiation prior to network selection. Accordingly, Applicants respectfully submit that claims 3 and 4 are allowable over the cited references.

Claims 2-11 are directly or indirectly dependent upon claim 1, which the Applicants believe is allowable over the cited references of record for the same reasons provided above. Claim 17 is dependent upon claim 16, which the Applicants believe is allowable over the cited references of record for the same reasons provided above.

Based on the arguments presented above, withdrawal of the 35 U.S.C. § 102(e) rejection of claims 16 and 17 is respectfully requested. Based on the arguments presented above, withdrawal of the 35 U.S.C. § 103(a) rejection of claims 1-2 and 5-11 is respectfully requested.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Menon et al.

By /Robert D. Leonard/
   Robert D. Leonard
   Registration No. 57,204

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103
Telephone: (215) 568-6400
Facsimile: (215) 568-6499

NCM/RDL/ls
Enclosures (2)